Message

From: Naftz, Douglas [Naftz.Douglas@epa.gov]

Sent: 5/12/2017 3:02:56 PM

To: Figur, Charles [Figur.Charles@epa.gov]

CC: Sisk, Richard [Sisk.Richard@epa.gov]; Madigan, Andrea [Madigan.Andrea@epa.gov]

Subject: RE: Draft OECA Updates for 5/18/17
Attachments: R8 SUPERFUND 5-18-17.Naftz.docx

Chuck,

Per Andrea's request, I have added redline language in the attached document regarding our recent agreement with Sunnyside at BPMD (see p. 9). Let me know if you have any questions.

Douglas Naftz
Attorney
CERCLA Response/Cost Recovery Unit
Legal Enforcement Program (8ENF-L)
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From: Madigan, Andrea

Sent: Thursday, May 11, 2017 3:25 PM

To: Naftz, Douglas <Naftz.Douglas@epa.gov>; Figur, Charles <Figur.Charles@epa.gov>

Cc: Sisk, Richard <Sisk.Richard@epa.gov> **Subject:** FW: Draft OECA Updates for 5/18/17

We need to add the Sunnyside agreement at BPMD. Doug – can you provide the update to Chuck? Thanks.

Andrea Madigan CERCLA Supervisory Attorney US EPA Region 8 1595 Wynkoop Street Denver, CO 80202 303 312-6904

madigan.andrea@epa.gov

From: Figur, Charles

Sent: Thursday, May 11, 2017 3:17 PM

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Subject: Draft OECA Updates for 5/18/17

Hi all

Attached are the draft OECA updates for the three week period ending 5/11/17. In a small change, please send your proposed edits to Ellen and me by COB Tuesday May 9. There are no new instructions this period.

The updates (and one new item in the CERCLA/RCRA CA report) from LEP are relatively light again this period. So, this also may be a good reporting period for you to focus on the next action highlighted for OECA in "your" matters, and the related target date (particularly red and not-yet-colored matters).

On a related note we've just gotten our first red/green color updates in a while. A few of our matters still are uncolored, but here are the colorizations I noted on a quick review.

NON-CERCLA:

Dakota Plains Bridger Pipeline

Nishu Store Devon Beaver Creek

RCRA CA/CERCLA:

Solvay Bonita Peak Sunnyside

Here are some reminders.

Be sure to flag matters directly relating to oil and gas exploration and production (E&P). This is because one of the new key reviewers is from dealing with E&P matters. As clarified a bit in my email this morning, we only need to flag matters when the material or waste at issue has not left the production site. If it's still a close call err on the side of adding a flag.

If an action is expected to occur by June 23rd please try to put a finer point on the date as soon as possible. HQ understands that things change rapidly, but they still would like tighter educated guesses for actions that are coming up. If a target month can be reduced to a 2 week period, great; and if a two week period can be reduced to a specific week, great; etc. As soon as a target date can be provided, it should be. This is especially important for red matters. But, the information should be provided for green matters as well. This doesn't mean teams will be held to specific dates. Tighter target dates are important for HQ planning and review purposes.

Please be sure that the item <u>leads with the state's role</u>, even if the state has no role. Also, be sure to keep this in mind if your folks are asked to develop briefing documents.

Please include a note if a matter is part of a national enforcement initiative.

If we have any CD's going through public comment, please remember that OECA has asked that we indicate whether there are: no comments/no new outside interest, no significant adverse comments/no new outside interest, or public comments/interest under review.

Finally, if you update the document in Word, please rename the document only by substituting your first or last name for the word master in the title.

Thanks.

Chuck

Charles L. Figur

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